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REMARKS

Claim 15 is active and pending in the present application. By way of a February 10, 2005 non-Final Office Action, claim 15 stands rejected under both 35 USC §112, second paragraph, and 35 USC §103. In response, Applicants have amended claim 15 without improperly adding any new subject matter.

Rejection under 35 USC §112

Claim 15 stands rejected under the second paragraph of 35 USC §112 as being indefinite. In particular, the Examiner points out that it is confusing and unclear how both ends of the links can be connected to the axle. In response, Applicants have clarified the language of the claim to recite that each of the links have a respective end that is directly and pivotably mounted to the axle. Thus, the claim, as amended, clarifies that one end, not both ends, of each of the links is mounted to the axle. Applicants believe that claim 15 clearly and distinctly claims the subject matter which Applicants regard as the invention and, therefore, satisfies the second paragraph of 35 USC §112. Accordingly, reconsideration and withdrawal of the rejection under 35 USC §112 of claim 15 are respectfully requested.

Rejection under 35 USC §103

Claim 15 stands rejected under 35 USC §103 as unpatentable over Ferguson (US 1,127,608) in view of Chan et al. (US 6,357,768). The Examiner asserts that Ferguson discloses the invention substantially as recited in claim 15 but admits that Ferguson does not disclose an axle supporting structure comprising links that are directly and pivotably mounted to the axle at both ends. The Examiner contends, however, that directly and pivotably mounted link members are well known in the art, as illustrated by Chan et al. and concludes it would have been obvious to modify Ferguson to use links as taught by Chan et al. "in order to improve on the damping characteristics of the suspension while reducing the number of parts in the assembly."

In response, Applicants have amended claim 15 to recite that the arrangement of the links with the axle and the vehicle frame is such that they incline with respect to each other in a trapezoid arrangement, in which an interval between connecting points of the links to the vehicle frame is narrower than an interval between connecting points of the links to the axle. Applicants urge that

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neither Ferguson or Chan et al. disclose this particular arrangement of link members as recited in claim 15, as amended. For example, In Chan et al. the links do not incline with respect to each other in a trapezoid arrangement in which an interval between the connecting points of the links to the vehicle frame is narrower than an interval between connecting points of the links to the axle. Thus, modifying Ferguson in view of Chan et al. would result in a link member arrangement different than that recited in claim 15.

Because Ferguson and Chan et al. fail to disclose or suggest all the features recited in amended claim 15, either individually or in combination, they do not provide the factual basis for supporting a prima facie case of obviousness under 35 USC §103. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 USC §103 of claim 15.

Claim 15 also stands rejected under 35 USC §103 as unpatentable over Willingham (US 2,770,468) in view of Cruz (US 2,623,758). The Examiner asserts that Willingham discloses the invention substantially as recited in claim 15 but admits that Willingham does not disclose "an axle supporting structure such that the links that are directly mounted to the axle." The Examiner asserts, however, that Cruz discloses the teaching of links that are directly and pivotably mounted to the axle at both ends thereof and concludes it would have been obvious to modify "Ferguson" to include the axle supporting structure taught by Cruz "in order to improve on the damping characteristics of the suspension while reducing the number of parts of the assembly."

Applicants believe that the Examiner intended to combine the teachings of Cruz and Willingham in stating the above rejection instead of Cruz and Ferguson. Accordingly, Applicants response is directed towards the combination of Willingham and Cruz.

Applicants urge that the links of Willingham, even if modified as the Examiner suggests, do not disclose nor suggest all the features recited in claim 15. In particular, the pair of links (22, 26) of Willingham are disposed **in parallel to each other in the vertical direction**. This arrangement differs from the arrangement of links in claim 15 in which the links are not disposed parallel to each other in the vertical direction but, instead, are inclined symmetrically with respect to each other. Therefore, even if the links of Willingham were replaced with links similar to those taught by Cruz, the resulting link arrangement would not disclose or suggest all the features recited in claim 15 as

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amended. Accordingly, the combination of Willingham and Cruz does not provide the factual support to establish a prima facie case of obviousness under 35 USC §103. Applicants, therefore, respectfully request reconsideration and withdrawal of the rejection under 35 USC §103 of claim 15.

Applicants urge that the specific arrangement of the link members in claim 15 provide benefits that are un contemplated by any of the applied references and which would not be provided even if the teachings of the different references were somehow combined. In particular, the recited link member arrangement provides a restoring moment that is generated which opposes a roll moment due to centrifugal force. This results in reducing the roll moment when a vehicle proceeds around a curve. Applicants respectfully submit that the presently applied references, neither individually nor in combination, provide a link member arrangement that accomplishes a similar or analogous effect and, therefore, such a hypothetical link arrangement as suggested by the Examiner does not disclose or suggest the arrangement recited in claim 15.

In view of the above remarks and amendments, Applicants believe that claim 15 is in condition for allowance and passage of this case to issue is respectfully requested. The Examiner is invited to telephone the undersigned attorney to expedite prosecution of this Application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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